

REMARKS

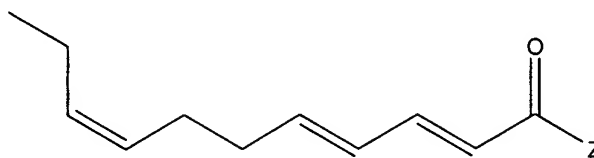
This amendment is being filed in reply to the Office Action of October 7, 2005 a reply to which was due without payment of additional fee or Request for Extension of Time by January 7, 2006.

Applicants have amended their claims by amending Claim 1 and canceling Claim 3. Applicants respectfully submit that the claims as amended introduce no new matter. Reconsideration of the rejections of record is respectfully requested in light of the amendments and following comments.

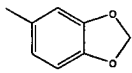
The Examiner has provisionally rejected Claims 1-17 provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of Claims 1-17 of copending Application No. 10/816,751. In response to this rejection Applicants have cancelled Claims 1-17 in copending Application No. 10/816,751 in the amendment that is to be timely filed in response to the Office Action of October 21, 2005 also examined by Examiner Carr, thereby obviating this provisional rejection.

The Examiner has also rejected Claims 1-4 rejected under 35 U.S.C. § 102(a) as being clearly anticipated by Galophin et al. It is the Examiner's position Galophin et al. teaches N-isobutyl (2E, 4E, 8Z)- undeca-2, 4, 8 – trienamide, which reads on the instant invention.

Applicants have amended Claim 1 to recite, *inter alia*, an E2, E4, Z8-undecatrienoic acid derivative defined according to the structure:



wherein Z represents –OR'' or –NRR' with the provisos that when Z is –OR'', R'' is hydrogen, C₁-C₆ straight chain or branched-chain alkyl or C₃-C₆ straight chain or branched-chain alkenyl; and when Z is –NRR', R represents, in the alternative, hydrogen, methyl or ethyl and R' represents methyl, ethyl, n-propyl, cyclopropyl, isopropyl, n-butyl, sec-butyl, 2-methylbutyl, cyclobutyl,

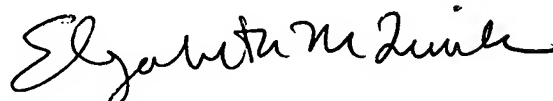


, cyclopentyl or allyl.

In view of this amendment, Claim 1, 2, and 4 are not anticipated by Galophin et al. Furthermore, Galophin et al. discloses that it has been reported that long-chained amides from the sanshool and bungeanool families exhibit pungent and tingling properties and have long been used as anesthetics in folk medicine. Galophin et al. further discloses these chemicals are difficult to synthesize and are often unstable. Thus, based on the unexpected stability of the compounds currently recited in Claims 1, 2 and 4, Galophin does not teach, suggest or provide any motivation to provide an E2, E4, Z8-undecatrienoic acid derivative as currently recited in amended Claim 1, 2 and 4.

Accordingly, since Galophin et al. does not disclose an E2,E4,Z8-undecatrienoic acid derivative as presently recited in amended Claim 1, Claims 1,2 and 4 are not anticipated by Galophin et al and withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested. Early and favorable consideration of the pending claims is earnestly solicited.

Respectfully submitted,



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